

Remarks

Claims 1, 2, 6 to 9, 15 to 16 and 18 to 32 are pending in this application of which claims 1, 2 and 22 are in independent form. The dependencies of claims 19 to 21 were corrected. Claims 11 to 14 have been cancelled. New claims 22 to 32 follow in structure previously presented claims 2, 6 to 9, 15 to 16 and 18 to 21. Support for the formula presented in new claim 22 can be found on page 40, lines 1 to 13 of the specification as filed (see also Office Action, page 2, last sentence of the 35 USC §112, first paragraph rejection) as well as, e.g., page 8 of the specification (see specific cite below) and, e.g., original claim 2.

Allowable Subject Matter

Applicant would like to thank the Office for acknowledging the allowability of claim 1.

35 USC §112, first paragraph rejection

On pages 2, the Office rejected claims 2, 6-9, 11-16 and 18-21 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office expressed the opinion that the claim(s), as amended, contain “new matter” (formulas (II) and (III)). The Office also expressed the opinion that the only formula, other than formula (I), described in the instant specification is the formula at page 40, lines 1 to 13.

The Office also notes that formula (I) is completely clear when X_1 and/or X_2 is lithium, sodium, potassium ions, alkyl and/or aryl residues.

Without conceding to the Office’s arguments and for the sole purpose of furthering the prosecution of the case, applicant has amended claim 2 to remove formulas (II) and (III) as well as the reference to calcium and magnesium with respect to X_1 and X_2 . With X_1 and/or X_2 now equaling only lithium, sodium, potassium ions, alkyl and/or aryl residues, applicant submits that formula (I) is, as noted by the Office, clear.

For claim 22, the Office is directed to the formula at page 40, lines 1 to 13 and to page 8 of the specification as filed, in particular lines 19 to 23. Here the specification states that:

“In a preferred fashion, X_2 can be a bivalent cation e.g. calcium or magnesium, linking two complexes each having one platinum central atom, and X_1 can be sodium, potassium, lithium, an alkyl and/or aryl residue”;

in support of new claim 22. Since the “double” complex claimed in new claim 22 is based on the complex in claim 2, applicant submits that claim 22 is equally free of prior art.

35 USC §112, first paragraph rejection

On page 4 of the Action, the Office rejected claims 11 to 14 as non-enabled under 35 USC §112, first paragraph.

Claims 11 to 14 have been cancelled without prejudice rendering the rejection moot.

The undersigned urges the Office to call her at 301-657-1282 to address any outstanding issues. Otherwise, an early notice of allowance is respectfully requested.

No fees are believed to be due. However, the Commissioner is authorized to charge undersign's deposit account 50-3135 for any fees that may be required in connection with this filing.

Respectfully submitted,

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October 23, 2009